



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/918,989	07/31/2001	Gary Gustine	100.204US01	3774

34206 7590 04/23/2003
FOGG AND ASSOCIATES, LLC
P.O. BOX 581339
MINNEAPOLIS, MN 55458-1339

EXAMINER

TRAN, THANH Y

ART UNIT PAPER NUMBER

2841

DATE MAILED: 04/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/918,989

Applicant(s)

GUSTINE ET AL.

Examiner

Thanh Y. Tran

Art Unit

2841

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 April 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 and 5.
- ☐ Interview Summary (PTO-413) Paper No(s). _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3-4, 6-7, and 9-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Sharp (U.S. 4,547,833).

With respect to claim 1, Sharp discloses a case (122, Fig. 7) for confining a circuit card to a particular location within a housing, the case (122) comprising a slot (see the “slot” as labeled in figure 7); and an actuator (post 135) disposed within the slot, the actuator engageable with the circuit card (137) from clamping the circuit card between the actuator and the case (see col. 7, lines 11-30).

With respect to claim 3, figure 7 shows that the circuit card (137) is in slidable contact with the case. It should be noted that the circuit card is considered to be slidable contact with the case when it is inserted into the aperture of the case (before bolt 182 pass through the aperture of the case).

With respect to claim 4, figure 8 of Sharp shows that the case (122) is thermally coupled to the housing (124).

With respect to claim 6, figure 7 of Sharp shows that the circuit card comprises a pair of circuit cards (as labeled in figure 7) and a partition (as labeled in figure 7) sandwiched therebetween and the actuator (post 135) is engageable with one of the circuit cards (137).

With respect to claim 7, Sharp discloses a case (122, Fig. 7) for confining a pair of circuit cards to different locations within a housing, the case (122) comprising a pair of opposing side walls and first and second end walls (see figures 7 and 8); a partition (as labeled in figure 7) disposed between the first and second end walls that divides the case into a first slot bounded by a portion of each of the side walls, the partition, and the first end wall and a second slot bounded by another portion of each of the side walls, the partition, and the second end wall, the first and second slots each containing one of the circuit cards (137); and an actuator (post 135) engageable with the circuit card (137) in the first slot for clamping the circuit card (137) in the first slot, the partition, and the circuit card (137) in the second slot between the actuator (post 135) and the second end wall.

With respect to claim 9, it recites limitations similar to claim 3. Thus, it is rejected for the same reasons.

With respect to claim 10, figure 7 of Sharp shows that the partition (as labeled) is inherent in slidable contact with each of the sidewalls of the case.

With respect to claim 11, figure 8 of Sharp shows that the second end wall of the case (122) is thermally coupled to the housing (124).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2, 5, 8 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sharp (U.S. 4,547,833).

With respect to claim 2, Sharp does not teach that the actuator is a resilient element. The Examiner takes Official Notice that it is known to provide a resilient element in the slot of the case for engaging the circuit card. Thus, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the case of Sharp by including a resilient element in the slot of the case for securely retaining the circuit card within the case.

With respect to claim 5, Sharp does not teach a heat sink is disposed between the case and the housing. The Examiner takes Official Notice that it is known to provide a heat sink is disposed between the case and the housing. Thus, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide a heat sink is disposed between the case and the housing for releasing the heat being generated from the case and the housing.

With respect to claim 8, it recites limitations similar to claim 2. Thus, it is rejected for the same reasons.

With respect to claim 12, it recites limitations similar to claim 5. Thus, it is rejected for the same reasons.

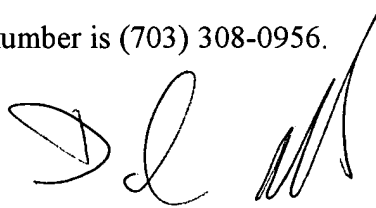
Art Unit: 2841

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh Y. Tran whose telephone number is (703) 305-4757. The examiner can normally be reached on Monday through Thursday and every other Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Martin, can be reached on (703) 308-3121. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3431.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

A handwritten signature in black ink, appearing to read 'DM', is positioned above the typed name and title of David Martin.

TYT

**DAVID MARTIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800**